



1 Fu 3623
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chang, et al.

Examiner: Jeanty, Romain

Serial No: 10/617,965

Group: Art Unit 3623

Filed: July 11, 2003

Docket: YOR920030197US1 (8728-627)

For: **Systems and Methods for Monitoring and Controlling
Business Level Service Level Agreements**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313

RESPONSE TO RESTRICTION REQUIREMENT

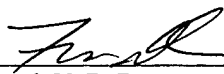
In response to the Office Action dated March 31, 2005, Applicants provisionally elect the claims of Group I (claims 1-20), with traverse, and respectfully urge that all claims (Groups I and II) be maintained in the current application.

As set forth in MPEP § 803, if the search and examination of an entire application can be made **without serious burden**, the examiner **must** examine it on the merits, even though the application contains claims to independent and distinct inventions.

CERTIFICATE OF MAILING 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage paid in an envelope addressed to : Commissioner for Patents, P.O. Box. 1450, Alexandria, VA 22313-1450 on the date indicated below.

Dated: 4/29/05


Frank V. DeRosa

While the inventions of Groups I and II may be distinct for the reasons set forth by the Examiner, it is respectfully submitted that simultaneous examination of Groups I and II will not present a serious burden. Indeed, by Examiner's acknowledgment, the inventions of Groups I and II are **both commonly classified in class 705, subclass 9** . Moreover, all claims are directed to commonly related subject matter, as indicated by the common classification. Under these circumstances, Examiner cannot reasonably contend that simultaneous examination of all claims (Groups I and II) would be a burden, much less a serious burden. Indeed, given that the Examiner's search is limited to a single class and subclass, and that the claims include commonly recited subject matter, it is respectfully submitted that the current restriction is unfair, and legally unnecessary, and should thus be withdrawn.

Respectfully submitted,



Frank V. DeRosa

Reg. No. 43,584

Attorney for Applicant

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, New York 11797
Tel: (516) 692-8888
Fax: (516) 692-8889